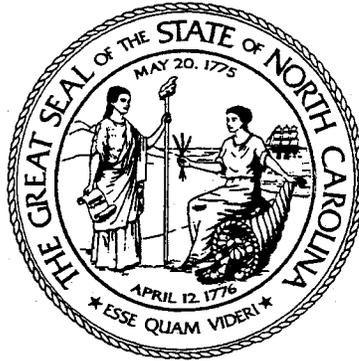


LEGISLATIVE RESEARCH COMMISSION

Juvenile Crime and Delinquency Committee



REPORT TO THE
2000 SESSION OF THE
1999 GENERAL ASSEMBLY
OF NORTH CAROLINA

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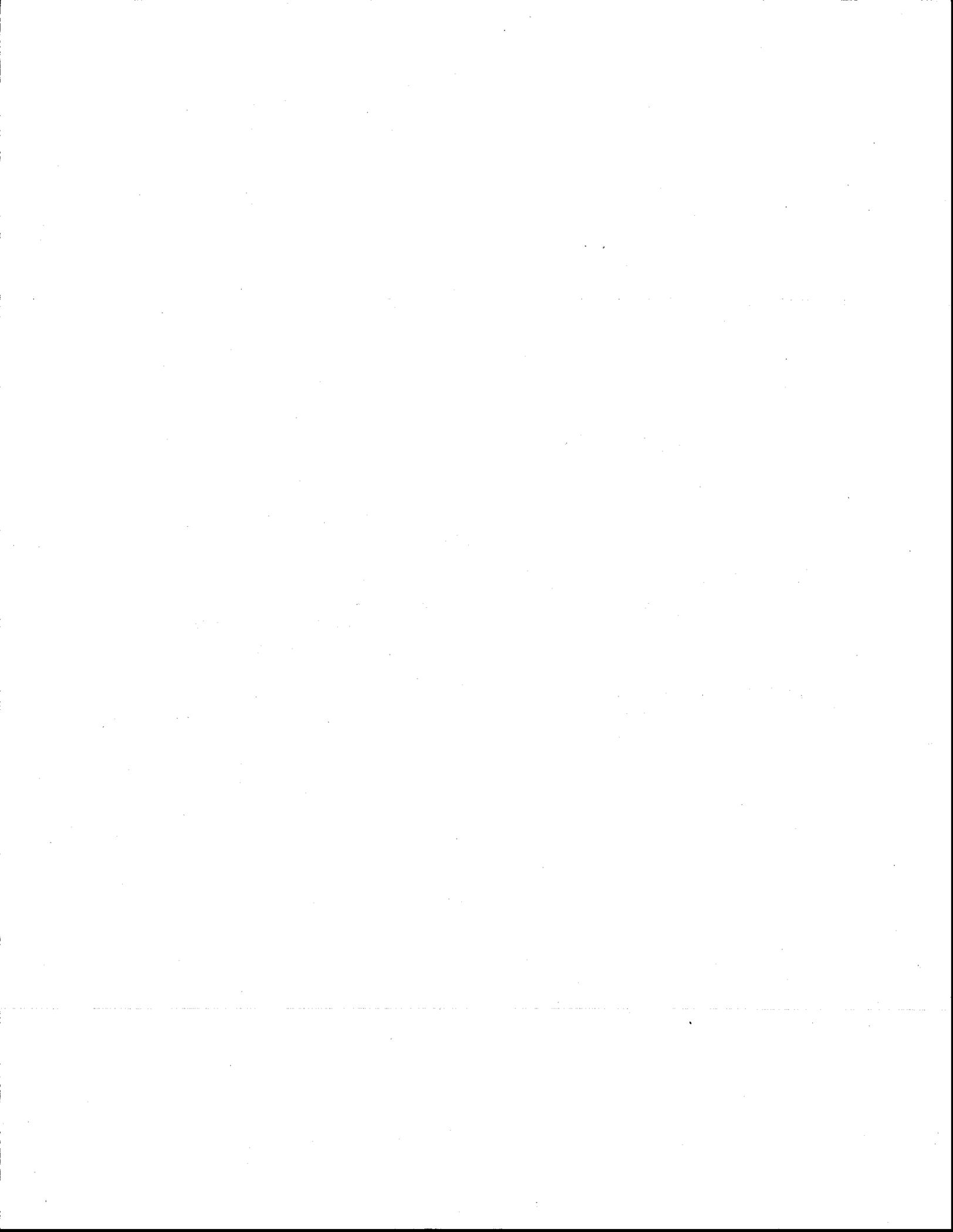
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STATE OF NORTH CAROLINA
LEGISLATIVE RESEARCH COMMISSION
STATE LEGISLATIVE BUILDING
RALEIGH, NC 27601

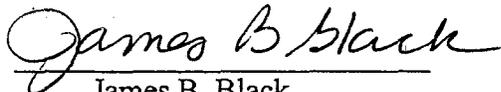


May 4, 2000

TO THE MEMBERS OF THE 1999 GENERAL ASSEMBLY (REGULAR SESSION 2000):

The Legislative Research Commission herewith submits to you for your consideration its 2000 interim report on juvenile crime and delinquency. The report was prepared by the Legislative Research Commission's Committee on Juvenile Crime and Delinquency pursuant to G.S. 120-30.17(1).

Respectfully submitted,

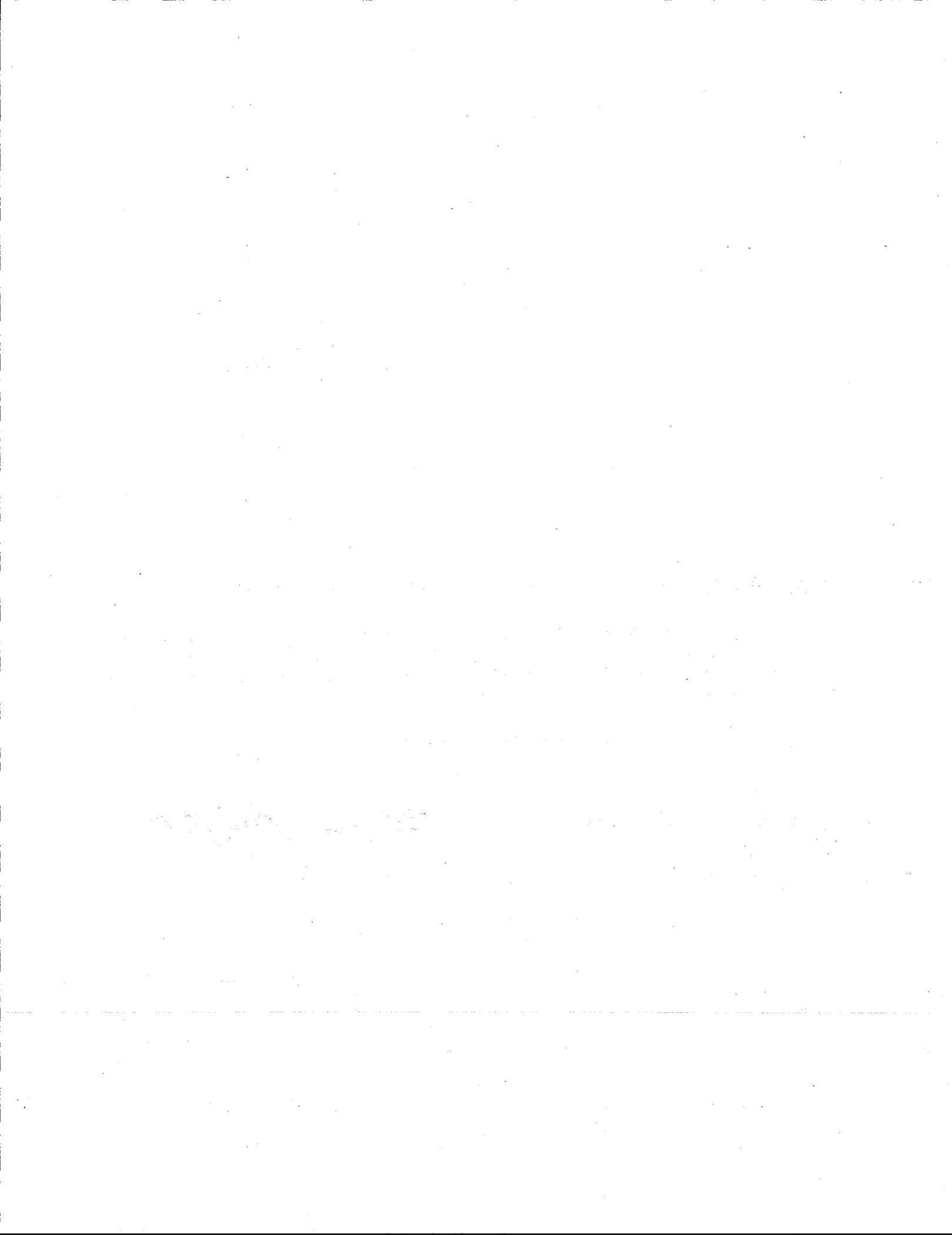


James B. Black
Speaker of the House



Marc Basnight
President Pro Tempore

Cochairs
Legislative Research Commission



1999 - 2000

LEGISLATIVE RESEARCH COMMISSION

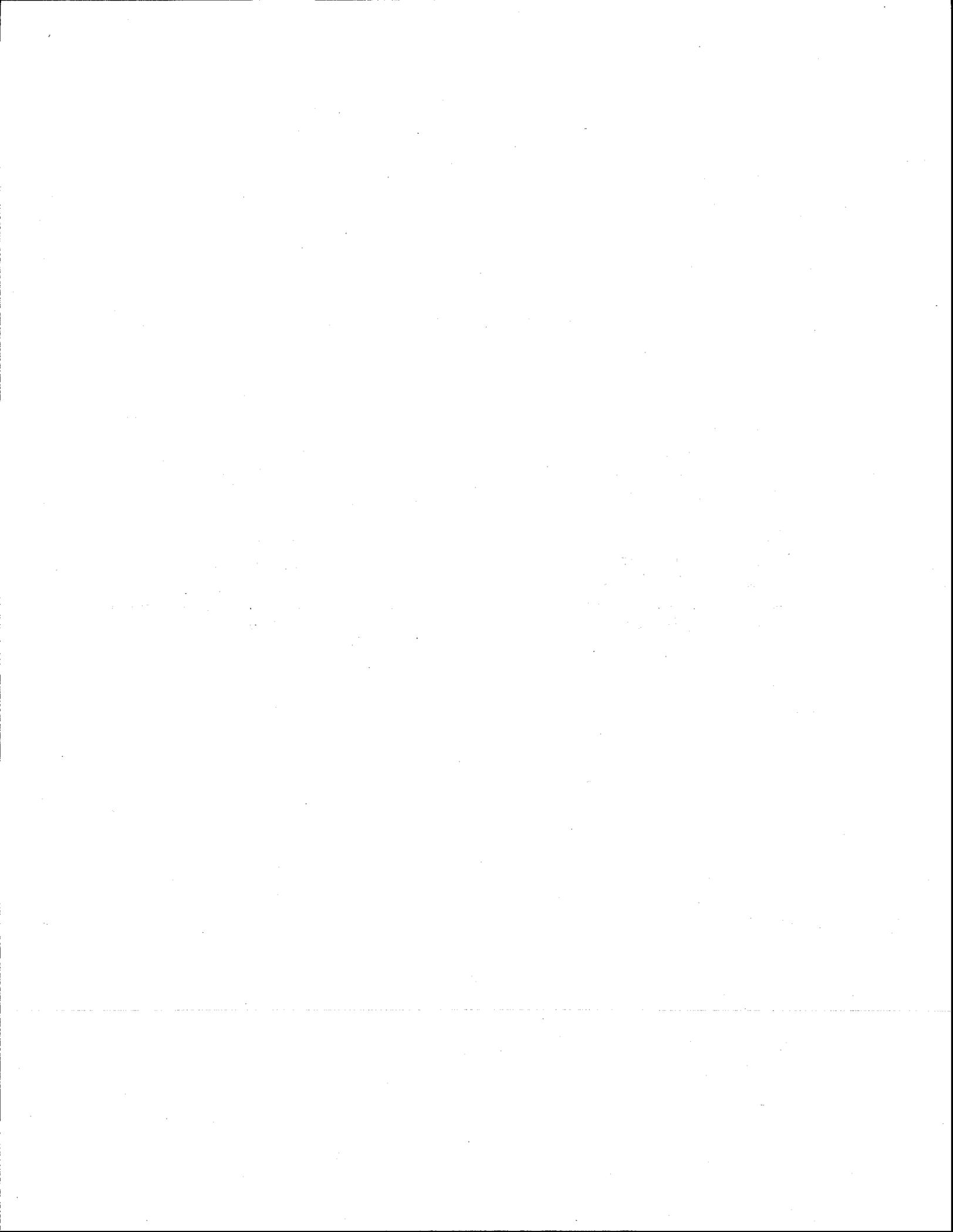
MEMBERSHIP

President Pro Tempore of
the Senate
Marc Basnight, Cochair

Senator Austin M. Allran
Senator Linda D. Garrou
Senator Jeanne H. Lucas
Senator R.L. "Bob" Martin
Senator Ed N. Warren

Speaker of the House
of Representatives
James B. Black, Cochair

Rep. James W. Crawford, Jr.
Rep. Beverly M. Earle
Rep. Verla C. Insko
Rep. William L. Wainwright
Rep. Steve W. Wood



PREFACE

The Legislative Research Commission, established by Article 6B of Chapter 120 of the General Statutes, is the general purpose study group in the Legislative Branch of State Government. The Commission is cochaired by the Speaker of the House and the President Pro Tempore of the Senate and has five additional members appointed from each house of the General Assembly. Among the Commission's duties is that of making or causing to be made, upon the direction of the General Assembly, "such studies of and investigations into governmental agencies and institutions and matters of public policy as will aid the General Assembly in performing its duties in the most efficient and effective manner" (G.S. 120-30.17(1)).

The Legislative Research Commission, prompted by actions during the 1998 Session and 1999 Sessions, has undertaken studies of numerous subjects. These studies were grouped into broad categories and each member of the Commission was given responsibility for one category of study. The Cochairs of the Legislative Research Commission, under the authority of G.S. 120-30.10(b) and (c), appointed committees consisting of members of the General Assembly and the public to conduct the studies. Cochairs, one from each house of the General Assembly, were designated for each committee.

The study of juvenile crime and delinquency was authorized by Section 2.1 (4) j. of Chapter 395 of the 1999 Session Laws (Regular Session, 1999). Part II of Chapter 395 allows for studies authorized by that Part for the Legislative Research Commission to consider Senate Bill 914 in determining the nature, scope and aspects of the study. Section 1 of Senate Bill 914 reads in part: "The Legislative Research Commission may study the potential causes of juvenile

crime and proposed ways to prevent juveniles from becoming delinquent or undisciplined." The relevant portions of Chapter 395 and Senate Bill 914 are included in Appendix A.

The Legislative Research Commission authorized this study under authority of G.S. 120-30.17(1) and grouped this study in its Human Resources and Health Issues area under the direction of Senator Robert L. Martin. The Committee was chaired by Senator Charles N. Carter, Jr. and Representative Paul R. McCrary. The full membership of the Committee is listed in Appendix B of this report. A committee notebook containing the committee minutes and all information presented to the committee will be filed in the Legislative Library by the end of the 1999-2000 biennium.

COMMITTEE PROCEEDINGS

Meeting on March 20, 2000

The Juvenile Crime & Delinquency Study Committee held its first meeting on Monday, March 20, 2000 at 1:30 p.m. at the C. A. Dillon Training School in Butner, N. C.

Prior to a tour of the C. A. Dillon facility, Chief (Retired) Sweat and Mr. Switzer answered questions from members pertaining to this and other training school facilities across the state. Mr. Sterlin Holt, Director of C. A. Dillon, answered questions about the history of this facility and about some of the juveniles at Dillon.

The tour consisted of a visit to one of the buildings which houses the juvenile offenders, three of the vocational classrooms (woodworking, art and auto mechanics) and the newest, high security facility where the sexual offenders are housed.

Senator Carter called the meeting to order at 3:45 p.m. and recognized George Sweat to bring the Committee up-to-date on the Office of Juvenile Justice.

Chief Sweat gave the members a map of North Carolina which indicates the training schools, number of beds in each facility, state detention centers, number of beds in each and the county detention centers with the number of beds. He also gave the members information regarding the new Juvenile Code.

The statewide training school population for 1999 was 934. The Sentencing Commission had projected a population of 851 for this year. The actual number is already ahead of that at 881. Next year a population of 939 is predicted.

One million dollars has been allocated for the design and study of new facilities with a total of 208 additional beds. The pilot program passed by the Legislature to privatize a 100-bed facility is being looked into. The Office of Juvenile Justice wants to make sure that facilities are put in areas where they have the greatest need.

Chief Sweat proposes designating one training school as the initial entry point and assessment center for all juveniles entering training school. The assessment center is critical to their success. They need to know through good assessment tools what each individual needs treatment-wise (i.e. psychological, educational, behavioral and medically). This will then allow them to manage that treatment for optimum benefit to the individual. They also need to begin to operate on a dawn to dusk schedule of treatment instead of the 8-5 schedule now being used.

The increase in the special population (i.e. sex offenders, violent offenders, etc.) is changing the way planning for additional facilities is being addressed. The issue of how to use the staff under these new circumstances is also important. Getting parents involved in the programs is critical.

Detention centers are the stop-gap before going to court or going to a training school. Two new facilities were opened this year, Richmond County with 30 beds for bound-over youth and Perquimans County with 24 beds. There are two new detention centers which are scheduled to be built – one in Alexander County and one in Wayne County. Both are scheduled to open in January, 2001. These will fill the gaps which might be created by the implementation of the new law. The Buncombe County facility will grow from 14 beds to 28.

At the Office of Juvenile Justice, staffing has been organized by putting bureau directors over each major function. The state has been divided into four areas and within those areas are Juvenile Crime Prevention Councils which are responsible for the programming at the local level. One of the things they are looking into is filling the gap between the expelled and suspended students in an alternative program. The Office of Juvenile Justice can impose sanctions which require aftercare, probation and follow-up.

This is a major system and a lot of changes need to be made so that every piece of that system works together cohesively and it's not doing it now. It also needs to be decided what role local area mental health is will play in concert with the Office of Juvenile Justice. The adult system is basically a punishment system by statute. The juvenile system is a rehabilitation system by statute. The funding for these two systems is not equal by a large margin. If the funding is appropriated as requested, it will play a significant role in the prevention of juveniles from coming into the system. It goes back to the early intervention and prevention issue. There are kids who can be saved in the beginning if resources are focused on them. The educational component is also a critical part of prevention.

Meeting on April 26, 2000

At its second meeting, the Committee approved the contents of this report.

FINDINGS AND RECOMMENDATIONS

The Committee on Juvenile Crime and Delinquency recommends that the General Assembly enact the bill found in Appendix B. The bill would require the Department of Public Instruction, in cooperation with the Office of Juvenile Justice, to establish four pilot programs which place suspended students in supervised programs during the term of their suspension.

APPENDIX A

CHAPTER 395
1999 Session Laws (1999 Session)

AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS STUDY COMMISSIONS, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO AMEND OTHER LAWS.

The General Assembly of North Carolina enacts:

PART I.-----TITLE

Section 1. This act shall be known as "The Studies Act of 1999".

PART II.-----LEGISLATIVE RESEARCH COMMISSION

Section 2.1. The Legislative Research Commission may study the topics listed below. When applicable, the bill or resolution that originally proposed the issue or study and the name of the sponsor is listed. Unless otherwise specified, the listed bill or resolution refers to the measure introduced in the 1999 Regular Session of the 1999 General Assembly. The Commission may consider the original bill or resolution in determining the nature, scope, and aspects of the study. The following groupings are for reference only:

(4) Human Resources and Health Issues:

 j. Causes and prevention of juvenile crime and delinquency (S.B. 914 - Rand).

Section 2.2. Committee Membership. -- For each Legislative Research Commission committee created during the 1999-2001 biennium, the cochairs of the Legislative Research Commission shall appoint the committee membership.

Section 2.3. Reporting Date. -- For each of the topics the Legislative Research Commission decides to study under this Part or pursuant to G.S. 120-30.17(1), the Commission may report its findings, together with any recommended legislation, to the 1999 General Assembly, 2000 Regular Session, or the 2001 General Assembly.

Section 2.4. Funding. -- From the funds available to the General Assembly, the Legislative Services Commission may allocate additional monies to fund the work of the Legislative Research Commission.

PART XXIII.-----EFFECTIVE DATE AND APPLICABILITY

Section 23.1. Except as otherwise specifically provided, this act becomes effective July 1, 1999. If a study is authorized both in this act and the Current Operations Appropriations Act of 1999, the study shall be implemented in accordance with the Current Operations Appropriations Act of 1999 as ratified.

In the General Assembly read three times and ratified this the 21st day of July, 1999.

s/ Dennis A. Wicker
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ James B. Hunt, Jr.
Governor

Approved 9:03 p.m. this 5th day of August, 1999

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

S

1

SENATE BILL 914

Short Title: LRC Study of Juvenile Crime.

(Public)

Sponsors: Senators Rand; and Cooper.

Referred to: Rules and Operations of the Senate.

April 14, 1999

1 A BILL TO BE ENTITLED

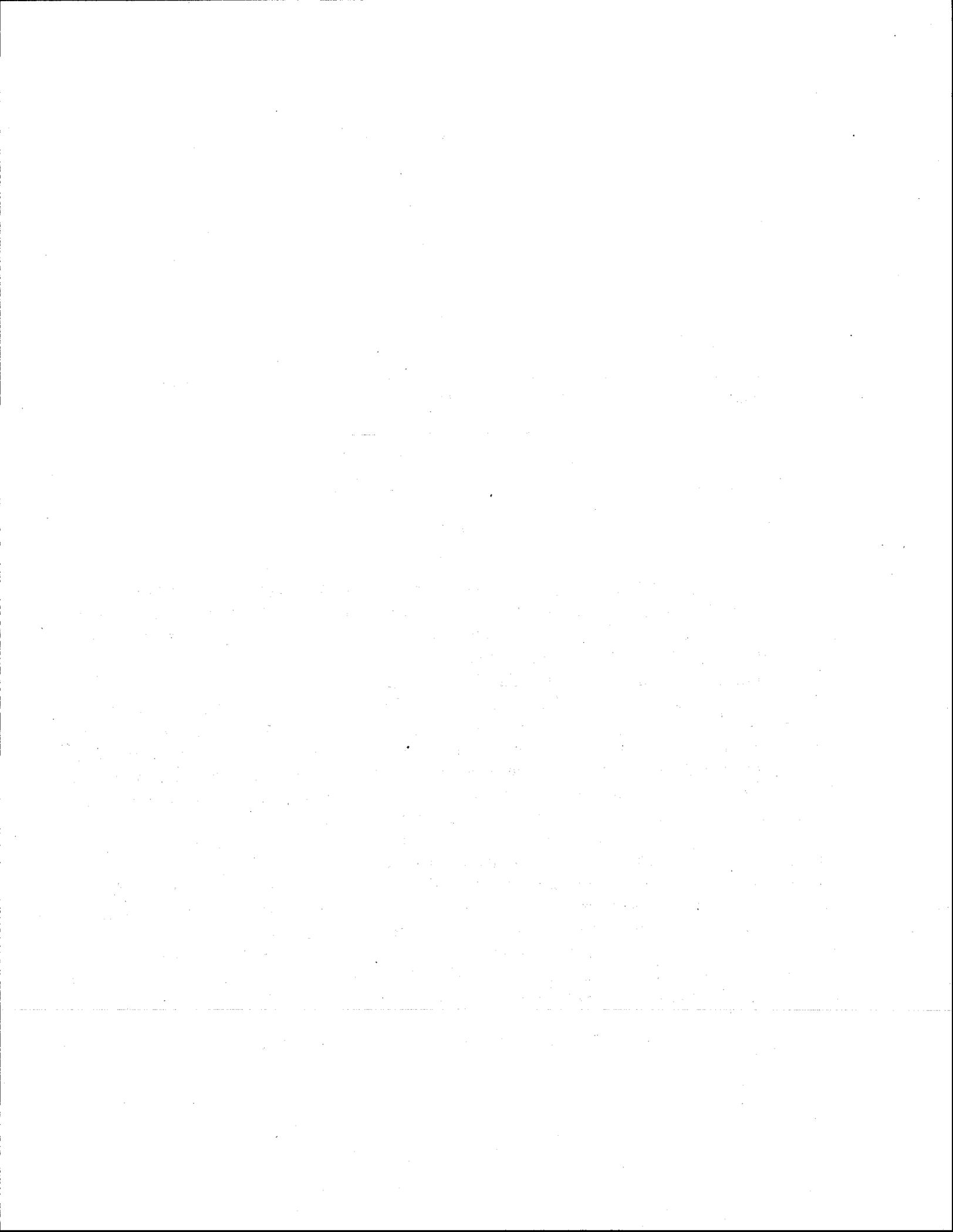
2 AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO
3 STUDY THE IMPACT OF ADULT CRIME AND POVERTY ON JUVENILES
4 WHO ARE DELINQUENT, UNDISCIPLINED, OR AT RISK OF BECOMING
5 DELINQUENT OR UNDISCIPLINED.

6 The General Assembly of North Carolina enacts:

7 Section 1. The Legislative Research Commission may study the potential
8 causes of juvenile crime and proposed ways to prevent juveniles from becoming
9 delinquent or undisciplined. If the Commission undertakes the study, the purpose of
10 the study shall be (i) to determine what factors in a juvenile's home and community
11 environment may contribute to or cause the juvenile to be at risk of becoming
12 delinquent or undisciplined, including the involvement of the juvenile's parent or
13 guardian in crimes involving controlled substances and firearms, the juvenile's access
14 to controlled substances or firearms in the home or community, and the socio-
15 economic status of the juvenile's family and (ii) to recommend effective and efficient
16 ways to provide juveniles who are at risk of becoming delinquent or undisciplined,
17 and their families, with prevention and early intervention services and programs.

18 Section 2. If the Legislative Research Commission undertakes the study,
19 it may make an interim report, including any legislative proposals, to the 2000
20 Regular Session of the 1999 General Assembly and a final report to the 2001 General
21 Assembly.

22 Section 3. This act is effective when it becomes law.



APPENDIX B

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

SH

D

99-SA-001

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)

Short Title: Suspended Student Placement Pilot. (Public)

Sponsors: .

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH PILOT PROGRAMS FOR THE USE OF ALTERNATIVE
3 LEARNING PROGRAMS AND JUVENILE DAY REPORTING CENTERS AS A
4 REQUIRED PLACEMENT FOR SUSPENDED STUDENTS.
5 The General Assembly of North Carolina enacts:
6 Section 1. (a) The Department of Public Instruction, in
7 cooperation with the Office of Juvenile Justice, shall establish
8 four pilot programs which place suspended students in supervised
9 programs during the term of the suspension. The pilot programs
10 shall be established in Buncombe, Davidson, Nash, and Wayne
11 Counties.
12 The pilot programs shall place suspended juveniles in
13 alternative learning programs, day reporting centers, or other
14 similar supervised day programs for juveniles, during the term of
15 the student's suspension.
16 (b) The Department of Public Instruction and the Office of
17 Juvenile Justice shall report to the Joint Legislative Education
18 Oversight Committee by April 1, 2002, on the implementation of
19 the pilot programs. The report shall include a recommendation as

1 to whether the program should be instituted statewide, including
2 any legislative recommendations.

3 Section 2. This act is effective when it becomes law.

APPENDIX C

Membership of the Juvenile Crime and Delinquency Committee

Pro Tem's Appointments

Sen. Charles N. Carter, Jr., Cochair
Sen. Robert C. Carpenter
Sen. Kay R. Hagan
Mr. Drew King, Sr.
Sen. McDaniel Robinson
The Honorable Paul S. Smith
The Honorable Jerry Tillett

Speaker's Appointments

Rep. Paul R. McCrary, Cochair
Rep. Joanne W. Bowie
Ms. Katherine Marie Boyette
Rep. Milton F. Fitch, Jr.
Rep. W. James Horn
Rep. Warren C. Oldham
Rep. Scott E. Thomas

